ALLEY

DECLARATORY

Improvement Res. No. 860

For the nine (9) foot wide alley between Lot No. 1, Moellering's Subdivision and Lot No. 2, M. J. Ruisill's Subdivision from the north property line of Hussburg Avenue to the south property line of the first fifteen (15) foot alley north of Hussburg Avenue.

Resolution Adopted:

June 19, 1952

Confirmed:

Bids Received:

FINAL ACTION RECORDED
JAN 13 1955

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

DECLARATORY RESOLUTION No. 860 1952

For the ~~Vacation~~ - Opening ~~Condemnation of right of way for utility purposes~~ of a nine (9) foot wide alley between Lot No. 1, Moellering's Subdivision and Lot No. 2, H.J. Rudisill's Subdivision from the north property line of Nussbaum Avenue to the south property line of the first fifteen (15) foot alley north of Nussbaum Avenue.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to open a nine (9) foot wide alley between Lot No. 1, Moellering's Subdivision and Lot No. 2, H.J. Rudisill's Subdivision from the north property line of Nussbaum Avenue to the south property line of the first fifteen (15) foot alley north of Nussbaum Avenue.

All as shown by a plan of such proposed Opening ~~Vacation Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana, the opening of said alley as above described is to be made by condemning and appropriating for alley purposes the vacated nine (9) foot alley between Lot no. 1, Moellering's Subdivision and Lot No. 2, H.J. Rudisill's Subdivision from Nussbaum Avenue to the first fifteen (15) foot alley north of Nussbaum Avenue.

The cost of said ~~Vacation~~ Opening ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such ~~Vacation~~ Opening ~~Condemnation of right of way for utility purposes~~ is described as follows: Lot No. 1, Moellering's Subdivision, and Lot No. 2, Rudisill's Subdivision, both Additions inclusive to the City of Fort Wayne, Indiana.

~~All lots and lands~~

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

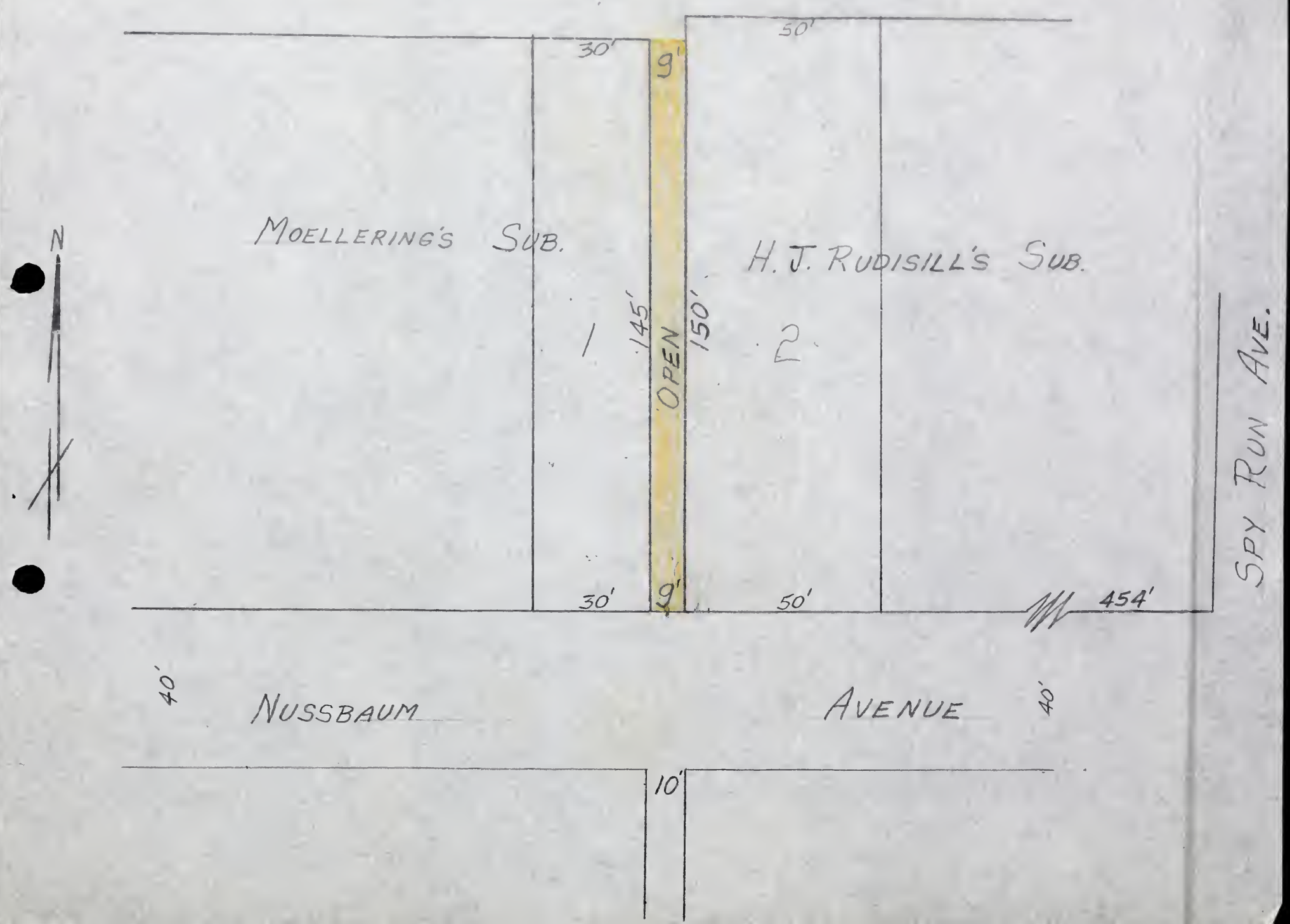
~~The vacation of the above described Street and alleys shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described opening are situated in the southeast quarter of Section 35, Township 31 north, Range 12 east, and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 19 DAY OF June 1952.

Attest: Frank L. Ross
Secretary Board of Public Works.

Board of Public Works.


N
MOELLERING'S SUB.
H. J. RUDISILL'S SUB.
30'
9'
50'
145'
150'
OPEN
1
2
30'
9'
50'
454'
SPY RUN AVE.
40'
NUSSBAUM
AVENUE
40'
10'

PETITION

Fort Wayne, Ind., October 4, 1951

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real estate on _____, from _____ to _____ respectfully petition for the passage of a resolution providing for the

reopening of the alley between Lot No. 1, Moellerings Subdivision and Lot No. 2, H. J. Rudisills Addition from Nussbaum Avenue to the first alley north of Nussbaum Avenue.

NAME:	ADDRESS:
Carl S. Heiter	420 Nussbaum PETITIONER
Lorette Heiter	420 Nussbaum
Tom McMahon	424 Nussbaum
H McMahon	424 Nussbaum
B. H. Rhodes	424 Nussbaum
Nelson Prante	428 Nussbaum
Esther Prante	428 Nussbaum
Louis Marquis	416 Nussbaum
Margaret M. Marquis	416 Nussbaum
Ralph Young	434 Nussbaum
Martin Lason	402 Nussbaum
Christine Lason	402 Nussbaum
Mary Leibee	336 Nussbaum
Ladd L. Leibee	336 Nussbaum
Mrs Cora Smith	336 Nussbaum Ave
Phyllis Schott	332 Nussbaum Ave
A. E. Schott	332 Nussbaum Ave.
Mildred Long	328 Nussbaum ave
Ralph Long	328 Nussbaum ave
Giles Ogot	412 Nussbaum Ave.
[illegible]	450 Nussbaum Ave.
Jack Kitzmiller	342 Nussbaum Ave
Imogene Kitzmiller	342 Nussbaum Ave.
[illegible]	[illegible]
[illegible] (Mrs.)	432 Elizabeth St
Julia Kreisinger (Mrs.)	432 E. Elizabeth
Roland Moon	450 Nussbaum Ave.

Councilman: A. A. Herber
2316 Kensington Blvd.

SIGNATURE Arthur A. Herber

Petition for Passage

of a Resolution for

the reopening of Lot No. 1,
Moellering's Subdivision and
Lot No. 2, M. J. Rudisill's
Addition from Nussbaum Avenue
to the first alley north of
from Nussbaum Avenue.

to

Filed with the Board of Public Works

Plans Ordered Oct. 4, 1951

REMONSTRANCE

Fort Wayne, Ind., July 8, 1952

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real estate respectfully remonstrate against the passage of a resolution providing for the opening of

a nine (9) foot wide alley between Lot No.1,Moellering's Sub. and Lot No. 2 H. J. Rudisill's Sub. from the north property line of Nussbaum Avenue to the south property line of the first fifteen (15) feet alley north of Nussbaum Avenue, under Declaratory Resolution No. 860-1952.

NOTE: ***In case of joint deeds both husbands and wives must sign with their respective legal signatures.***

NAME	ADDRESS
Mr John Meyman	419 Nussbaum ave.
Alice Jene Meyman	419 Nussbaum Ave.
Claude L Gill	425 Nussbaum Ave.
Mary A. Gill	425 Nussbaum Ave.

Digitized by the Internet Archive
in 2015

https://archive.org/details/declaratoryresol0860unse

Remonstrance Against Passage

of a Resolution for

_____

_____

_____

_____

from _____

to _____

Filed with the Board of Public Works

THE LINCOLN PRESS, PRINTERS–FORT WAYNE